

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

APR 18 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

THE BUSINESS OFFICE INC., a New
Jersey corporation, on behalf of itself and
as a representative of others similarly
situated,

Plaintiff-counter-defendant -
Appellant,

v.

B. THOMAS GOLISANO; et al.,

Defendants - Appellees,

RAPID PAYROLL, INC., a California
corporation; et al.,

Defendants-counter-claimants -
Appellees.

No. 05-55452

D.C. No. CV-03-01291-DT
Central District of California,
Los Angeles

ORDER

THE BUSINESS OFFICE INC., a New
Jersey corporation, on behalf of itself and
as a representative of others similarly
situated,

Plaintiff-counter-defendant -
Appellee,

No. 05-55527

D.C. No. CV-03-01291-DT
Central District of California,
Los Angeles

v.

B. THOMAS GOLISANO; et al.,

Defendants,

PAYCHEX, INC., a Delaware corporation,

Defendant-counter-claimant,

And

RAPID PAYROLL, INC., a California
corporation,

Defendant-counter-claimant -
Appellant.

Before: BEEZER, T.G. NELSON, and SILVERMAN, Circuit Judges.

The Request for Judicial Notice by Appellees Paychex, Inc., B. Thomas Golisano, and Walter Turek, and Appellee and Cross-Appellant Rapid Payroll, Inc. is GRANTED. Appellees' and Cross-Appellant's Motion to Strike pages 1 through 26 of the Reply Brief of Appellant The Business Office, Inc. is DENIED.